



BOULT ■ CUMMINGS®
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February 12, 2007

VIA ECF

Honorable Ramon E. Reyes, Jr., USMJ
United States District Court, E.D.N.Y.
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Site Pro-1, Inc. v. Better Metal, LLC, Case No. 06-CV-6508 (ILG)(RER)
Request for Permission to Appear by Telephone at Initial Conference

Dear Magistrate Judge Reyes:

This firm represents the defendant, Better Metal, LLC. We are writing with respect to the Scheduling Order entered on February 5, 2006 [Docket No. 3], which sets an initial conference for 10:00 a.m. on February 22, 2007, and requires that counsel for all parties attend in person. We respectfully request that the Court grant permission for Better Metal's counsel to appear telephonically rather than in person. Since this firm's offices are located in Nashville, Tennessee, an in-person appearance by the undersigned would entail overnight lodging and would be quite expensive for our client, which is a small business. We stand ready and willing to appear in person, if necessary, but would respectfully request that the Court relax the requirement of in-person attendance at the initial conference in this instance. Counsel for the plaintiff, Mr. Gallagher, has graciously informed us that he has no objection to this request.

No previous application for the same or similar relief has been made.

Truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Jonathan D. Rose (JR-8848)

cc: John F. Gallagher, III (via ECF)
Thor Y. Urness